

Docket Number
99-0006

Scimed Life Systems, Inc.

COMBINED DECLARATION AND POWER OF ATTORNEY
for UNITED STATES PATENT APPLICATION

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or original, first and joint inventor (if plural names are listed below) of the subject matter claimed and disclosed in the patent application entitled: Bifurcation Stent Delivery System, which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which may be material to patentability under 37 CFR § 1.56 (see page 3 attached hereto).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d)/365 of any foreign patent application(s) or inventor's certificate(s) listed below.

FOREIGN PATENT APPLICATION OR CERTIFICATE NUMBER	DATE OF FILING (day, month, year)	COUNTRY

I hereby claim priority benefits under 35 U.S.C. § 119(e) of any U.S. provisional patent application(s) listed below.

U.S. PROVISIONAL PATENT APPLICATION NUMBER	DATE OF FILING (day, month, year)	DOCKET NUMBER (if applicable)
60/117,351	27.01.99	99-0006

I hereby claim the benefit under 35 U.S.C. § 120 of any United States Patent Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112 first paragraph, I acknowledge the duty to disclose information which may be material to patentability under 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. PATENT APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (pending, patented, abandoned)

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Luke Dohmen, Reg. No. 36,783;
Peter J. Gafner, Reg. No. 36,517;
Todd P. Messal, Reg. No. 42,883;
Robert M. Rauker, Reg. No. 40,782

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Scimed Life Systems, Inc. to the contrary.

Please direct all correspondence in this case to Scimed Life Systems, Inc. at the below address:

One Scimed Place
Mail Stop A150
Maple Grove, Minnesota 55311-1566
Attn: Todd P. Messal
(612) 494-2880

I hereby believe that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1

Full Name of Inventor	Family Name	First Given Name	Second Given Name
	Tracee E.J. Eidenschink		
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Wayzata	Minnesota	United States
Post Office Address	Post Office Address	City	State & Zip Code/Country
	2232 Pinto Drive	Wayzata	Minnesota 55391 / United States

Signature of Inventor 1		
<i>Tracee Eidenschink</i>		
Date		
<i>Jan 26, 2000</i>		

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.



99-0066US02
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APRIL 27, 2000

PTAS

SCIMED LIFE SYSTEMS, INC.
TODD P. MESSAL
ONE SCIMED PLACE
MAIL STOP A150
MAPLE GROVE, MINNESOTA 55311-1566



101277530A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/26/2000

REEL/FRAME: 010568/0868
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

EIDENSCHINK, TRACEE E.J.

DOC DATE: 01/26/2000

ASSIGNEE:

SCIMED LIFE SYSTEMS, INC.
ONE SCIMED PLACE
M.S. A150
MAPLE GROVE, MINNESOTA 55311-1566

SERIAL NUMBER: 09490808

FILING DATE: 01/26/2000

PATENT NUMBER:

ISSUE DATE:

ALLYSON PURNELL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

SEARCHED PATENT LEGAL DEPT
ENTERED ON DOCKET
DATE: 5/10/00
INITIALS: *sk*

02-29-2000

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



101277530

and original documents or copy thereof.

To the Honorable Commissioner of Patents and

1. Name of conveying parties:

Tracee E.J. Eidenschink

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

3. Nature of conveyance:

[X] Assignment [] Merger

[] Security Agreement [] Change of Name

[] Other

Execution Date: January 26, 2000

2. Name and address of receiving party:

Name: Scimed Life Systems, Inc.

Internal Address: M.S. A150

Street Address: One Scimed Place

City: Maple Grove State: MN Zip: 55311-1566

Additional name(s) & address(es) attached? [] Yes [X] No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: January 26, 2000

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Todd P. Messal

Address: SCIMED LIFE SYSTEMS, INC.
One Scimed Place
Mail Stop A150
Maple Grove, MN 55311-1566

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

[] Enclosed

[X] Authorized to be charged to deposit account

8. Deposit account number: 19-0765

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Todd P. Messal

Name of Person Signing

Signature

Date

Total number of pages including cover sheet: 3

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

02/28/2000 TTON11 00000068 190765 09490806
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ASSIGNMENT

WHEREAS, Tracee E.J. Eidenschink, residing at 2232 Pinto Drive, Wayzata, Minnesota 55391, has made certain new and useful inventions and improvements for which I have executed an application for Letters Patent of the United States, which is entitled Bifurcation Stent Delivery System, filed concurrently herewith;

AND WHEREAS, Scimed Life Systems, Inc., a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having a business address of One Scimed Place, Maple Grove, Minnesota 55311-1566, is desirous of acquiring the entire right, title and interest in and to said inventions, improvements, application, and Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, I have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said Scimed Life Systems, Inc., its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and I/we do hereby authorize and request the Commissioner of Patents to issue any and all United States Letters Patent for the aforesaid inventions and improvements to said Scimed Life Systems, Inc., its successors and assigns.

AND, for the consideration aforesaid, I do hereby agree that I and my executors and legal representatives will make, execute and deliver any and all other instruments in writing including any other documents, and will communicate to said Scimed Life Systems, Inc., its successors and representatives all facts known to me relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable to more effectually secure to and vest in Scimed Life Systems, Inc., its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.
